

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHARLES KELVIN JOHNS,	)	
AIS #154434,	)	
	)	
Petitioner,	)	
	)	CIVIL ACTION NO. 2.06-CV-229-WHA
vs.	)	
	)	
WARDEN J.C. GILES, and	)	
THE ATTORNEY GENERAL FOR	)	
THE STATE OF ALABAMA,	)	
	)	
Respondents.	)	

**MOTION FOR EXTENSION OF TIME  
IN WHICH TO ANSWER**

Come now the Respondents in the above-styled cause, by and through the Attorney General for the State of Alabama, and move this Honorable Court for an order granting an additional 21 days within which to file their response to this Court's order entered March 28, 2006. In this case, Johns petitions for reversal of his 2003 convictions for second-degree kidnapping and carrying a concealed weapon.

As grounds therefor, the Respondents set out that, because of missing state files and transcripts, the undersigned counsel is not yet able to begin further work on the Respondents' response to Johns's petition. The necessary files will not

arrive until approximately April 14, 2006. The undersigned will also be away on previously scheduled vacation for several days during April of 2006.

Because of these unusual circumstances and because of work on other pending cases, the undersigned will not be able to respond by the current due date of April 10, 2006. Therefore, an extension of time to May 1, 2006 is needed in order to prepare a thorough response to this Court's March 28, 2006 order.

Respectfully submitted,

Troy King (KIN047)

*Attorney General*

By:

/s/Hense R. Ellis II

Deputy Attorney General

IDELLI9296

### **CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of April, 2006, I electronically filed the foregoing document, with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document, including exhibit to the following non-CM/ECF participant:

Andrew Phillip Johns  
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s/Hense R. Ellis II  
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